

## Message

**From:** Paula Maccabee [pmaccabee@justchangelaw.com]  
**Sent:** 9/27/2016 6:30:16 PM  
**To:** Swenson, Peter [swenson.peter@epa.gov]  
**CC:** Wester, Barbara [wester.barbara@epa.gov]; Proto, Paul [proto.paul@epa.gov]  
**Subject:** FW: Minnesota 2014 and 2016 Draft Clean Water Act Section 303(d) Impaired Waters Lists  
**Attachments:** WaterLegacyLetterEPA\_MN303(d)Lists2014&2016(Aug.26, 2016).pdf;  
 WaterLegacyComment\_MN303(d)List2016\_(Aug.26, 2016).pdf;  
 WaterLegacyComment\_MN303(d)List2016\_Exhibits\_(Aug.26, 2016).pdf;  
 WaterLegacyLetterEPA\_MN303(d)Lists2014&2016Attachments(2016-08-26).pdf

**Flag:** Follow up

Hello Peter,

I would appreciate an update on the EPA's response to WaterLegacy's August 26, 2016 letter regarding Minnesota's 2014 and 2016 Draft Clean Water Act Section 303(d) Impaired Waters Lists.

Looking forward to hearing from you.

Best regards,  
 Paula

---

**From:** Paula Maccabee <pmaccabee@justchangelaw.com>  
**Date:** Friday, August 26, 2016 at 11:05 AM  
**To:** Tinka Hyde <Hyde.Tinka@epa.gov>  
**Cc:** Peter Swenson <Swenson.Peter@epa.gov>, Paul Proto <proto.paul@epa.gov>, Barbara Wester <wester.barbara@epa.gov>  
**Subject:** Minnesota 2014 and 2016 Draft Clean Water Act Section 303(d) Impaired Waters Lists

Dear Ms. Hyde,

Attached with this email, please find a letter from WaterLegacy regarding the Minnesota 2014 and 2016 Draft Clean Water Act Section 303(d) Impaired Waters Lists. In this letter, we request specific action from the U.S. Environmental Protection Agency (EPA) under the Clean Water Act and its implementing regulations.

WaterLegacy's letter to the EPA attaches our Comment to the Minnesota Pollution Control Agency (MPCA) on the Minnesota 2016 Draft Section 303(d) Impaired Waters List submitted today, along with a set of ten Exhibits. These Exhibits document the MPCA's failure to list wild rice/sulfate impaired waters, our comments, Minnesota's responses, and the EPA's review of Minnesota's Section 303(d) Impaired Waters Lists since 2012. We've also included with our letter to EPA another four Attachments that provide further background with respect to Minnesota's delays in addressing mercury impairments and continuing failure to list wild rice/sulfate impaired waters despite available data that would allow such a listing.

We would appreciate receiving a responsive email informing us that our letter and attached materials have been received.

Please do not hesitate to contact me if you have any questions regarding these documents or if you would like more information about any of the issues raised in WaterLegacy's letter, comment, exhibits or attachments.

WaterLegacy looks forward to the EPA's action to ensure that Minnesota's 303(d) listing, including the identification of wild rice/sulfate impaired waters, complies with the Clean Water Act and implementing regulations.

Sincerely yours,  
 Paula

Paula Maccabee, Esq.  
JUST CHANGE LAW OFFICES  
1961 Selby Ave.  
St. Paul MN 55104  
phone: 651-646-8890  
fax: 651-646-5754  
Cell: 651-775-7128  
e-mail: [pmaccabee@justchangelaw.com](mailto:pmaccabee@justchangelaw.com)  
<http://www.justchangelaw.com>

Advocacy Director/Counsel for WaterLegacy

-----  
CONFIDENTIALITY NOTICE: The information contained in this e-mail is confidential, may be legally privileged, and is intended only for the use of the party named above. If the reader of this e-mail is not the intended recipient, you are advised that any dissemination, distribution, or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at 651-646-8890 and destroy this e-mail.  
-----